



Austin City Council MINUTES

For

AUGUST 1, 1985 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

City Council

Frank C. Cooksey
Mayor

John Treviño, Jr.
Mayor Pro Tem

Council Members
Mark Rose
Smoot Carl-Mitchell
Sally Shipman
George Humphrey
Charles E. Urdy

Jorge Carrasco
City Manager

Elden Aldridge
City Clerk

Memorandum To:

Mayor Cooksey called to order the meeting of the Council, noting the absence of Mayor Pro Tem Trevino.

MINUTES APPROVED

The Council, on Councilmember Humphrey's motion, Councilmember Shipman's second, approved minutes for regular meeting of July 25, 1985.

CONSENT ORDINANCES

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (6-0 Vote, Mayor Pro Tem Trevino absent.)

Capital Improvements Program

Appropriated \$1,700,000.00 for the Upper Shoal Creek Interceptor, originally scheduled to be appropriated in FY 1985-86.

Code Amendment

Approved amending subsection (a) of Section 11-2-58 of the Code of the City of Austin 1981, by making certain additions to said section and subsection thereby declaring that defects, omission or entries of the Traffic Register shall not constitute a defense to prosecution for traffic law violations.

Ordinance Amendment

Amended Ordinance No. 850627-H (vacating West Avenue Alley) by deleting reference to Ordinance No. 840719-L therein in order to show amendment to be 840719-I.

Capital Improvements Program

Declared the necessity for ordering improvements to Cameron Road, Phase 1 & 2, A Special Assessment Project, consisting of 1 unit covering approximately 24 blocks. CAPITAL IMPROVEMENTS PROGRAM No. 73/62-44.

Zoning Ordinances

Amended Chapter 13-2 and 13-2(A) of the Austin City Code (Zoning Ordinance) to cover the following changes:

WARRENA COLLINS GIBSON 10900-11100 Dessau From Interim "SF-2" to
AND JOHN REYNOLDS & Road "SF-2" & "SF-3"
ASSOCIATES, INC.
By John Reynolds
C14-85-038

Heard and granted May 6, 1985, (6-0). Conditions have been met as follows: Applicant has dedicated required street right-of-way on subdivision.

W. D. CHRISNER 4301-4415 Nixon Lane From Interim "SF-2"
By Jean Stegal Telkamp to "LI"
C14-85-076

Heard and granted June 13, 1985, (6-0). Mayor Pro Tem John Trevino, Jr. absent. Conditions have been met as follows: Right-of-way on Nixon Lane has been conveyed by Street Deed.

EVELYN HEREFORD 1514 Koenig Lane From "SF-3" to "NO"
C14-85-087

Heard and granted June 13, 1985, (6-0). Mayor Pro Tem John Trevino, Jr. absent. Conditions have been met as follows: Right-of-way on Koenig Lane has been conveyed by Street Deed.

THE ARNOLD HOUSE 1170 San Bernard From "CS" to "CS-H"
By Ellis & Gary
Gilleland
C14h-85-006

Heard and granted May 2, 1985, (6-0). No conditions to be met.

8/1/85

TRAVIS R. PHILLIPS & 11607 Bell Avenue
ADON SITRA
C14-84-316

From "SF-2" to "SF-6"

Heard and granted January 10, 1985, (7-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

ROBERT F. COFFEE/
JACK CRIER
C14-85-111

505 Oakland

From "SF-4" to "LO"

Heard and granted July 11, 1985, (7-0). No conditions to be met.

CITY OF AUSTIN-WATER AND WASTEWATER DEPARTMENT
C14-85-124

Proposed Jester Boulevard

From Interim "RR" to "P"

Heard and granted July 11, 1985. (7-0). No conditions to be met.

JOHNNY E. HYDE, ET AL 1301-1313 Montopolis,
By Johnny E. Hyde 6305-6311 Porter St.,
C14-84-273 rear of 1306-1308
Vargas

From "CS-1", "GR" & "SF-3" to "CS"

Heard and granted December 6, 1984, (6-0). Councilmember Mark Rose absent. Conditions have been met as follows: (1) Restrictive Covenant incorporating conditions imposed by Council has been executed (2) Right-of-way on Porter Street has been conveyed by Street Deed.

L. C. JOINT VENTURE 4906 Hamilton Lane
C14-85-092

From Interim "SF-2" to "GR"

(Applicant requests emergency passage of Ordinance)

Heard and granted June 13, 1985, (6-0). Mayor Pro Tem John Trevino, Jr. absent. Conditions have been satisfied as follows: Applicant has dedicated required street right-of-way on subdivision plat.

8/1/85

MARK HARDEMAN,
TRUSTEE
By M. Scott Roberts
C14-84-317

4502 E. St. Elmo, also
bounded by Todd Lane

From Interim "SF-2"
to "DL" & "SF-3"

Heard and granted December 6, 1984, (7-0). Conditions have been met as follows: (1) Restrictive Covenant incorporating conditions imposed by Council has been executed (2) Right-of-way on Todd Lane has been conveyed by Street Deed.

WESTLAKE OAK HILL
INN, LTD.
By Jean Strobe/HC
Assoc.
C14r-85-094

6705 U.S. 290 West
EMERGENCY PASSAGE OF ORDINANCE

From Interim "SF-2"
to "CS-1" & "GR"

CITY OF AUSTIN
By Office of Lane
Development Services
C14r-85-151

12300 Block Burnet
(FM 1325)

From "I-SF-2" to
"GR"

One Item Pulled - One Item Postponed

Pulled from the agenda was consideration of the following case until a site plan is submitted:

CITY OF AUSTIN
OFFICE OF LAND
DEVELOPMENT
SERVICES
By Richard L. Ridings
C14-84-376

Proposed MoPac and
Braker Lane Extensions

From Interim "SF-2"
to "LI"

Heard and granted July 11, 1985 (7-0). No conditions to be met.

Consideration of passing an ordinance for the following was postponed until August 8, 1985:

RICHARD DAVIS
C14-81-098

4334 Duval Road,
4412 Switch Willo

From Interim "SF-2"
to "SF-6"

Heard and granted October 8, 1981, (7-0). Conditions have been met as follows: (1) Development restricted to that shown on site plan attached as Exhibit "A" to the ordinance; (2) Restrictive Covenant limiting the use of the property to no more than nine units per acre has been executed.

NORTHWEST AREA LAND USE GUIDANCE PLAN

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance amending Ordinance No. 841206-H to provide a procedure for amending the Northwest Area Land Use Guidance Plan. (6-0 Vote, Mayor Pro Tem Trevino absent)

SIGN PERMITS

Council had before them an ordinance to consider establishing interim controls for the issuance of sign permits.

Terry Childers, Senior Assistant City Manager, "walked through" the issues in the ordinance where there was agreement and placed before Council the tentative agreement.

Councilmember Shipman said Council had received a hardship ordinance from staff and the sign companies. Mr. Childers said, "Our proposal is a melding of the two propositions you receive today." There was some discussion and Council agreed that Mr. Childers and representatives in the Council Chamber from the sign industry should get together during the meeting and work out any differences. Before they left the Chamber for their discussion the following motion was made:

Motion

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, approved extending the moratorium for the issuance of signs for 95 days. (6-0 Vote, Mayor Pro Tem Trevino absent.)

Later in the day: An agreement was reached on amendments to the establishment of interim controls and the following motion was made:

Motion

The Council, on Councilmember Rose's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance establishing interim controls for the issuance of sign permits. (6-0 Vote, Mayor Pro Tem Trevino absent)

CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted the following resolutions in one consent motion: (6-0 Vote, Mayor Pro Tem Trevino absent)

Z-K Real Estate

Approved acceptance of Drainage and Flood Detention Easement from Z-K Real Estate.

Item Postponed

Postponed until August 8, 1985 was consideration of approving right-of-way with Nash Phillips/Copus Inc.

Release of Easements

Approved release of the following easements:

- a. An ingress and egress easement dedicated by plan note located on Lot 11, The Resubdivision of Lots 1, 2 and 3, Block B, Timberline Section 2. (Request submitted by Mr. Kevin Morrow)
- b. A portion of the 7.5' Public Utility Easement as dedicated by plat of Lot 17, Block 7, Trailwood Village One and a portion of a 5' Drainage Easement of record in Volume 5160, Page 970, of the Travis County Real Property Records, 4844 Trail Crest Circle. (Request submitted by Mr. Ed Brooks)

Easement Approved

Approved the following easement: The 20' General Utility/Sewer Easement located in the Daniel J. Gilbert Survey, and being within a 77.86 acre tract known as Camp Mabry, Austin, Travis County, Texas, and a temporary 40' Construction Easement to facilitate construction of said sewer lines.

License Agreement

Entered into the following License Agreement: To allow the encroachment of a State owned and maintained telecommunication network into the public right-of-way. (Request submitted by Mr. Donald Silver of Southwestern Bell/ISI on behalf of the State Purchasing and General Services Commission)

Capital Improvements Program

Approved a Supplemental Agreement to the professional services agreement between the City of Austin and Freese & Nichols, Inc for the Onion Creek Wastewater Interceptor Extension from existing Boggy Creek South and Boggy Creek South Wastewater Interceptor from Onion Creek Easterly to existing Boggy Creek South Interceptor, I.H. 35 South. (\$35,000.00) C.I.P. Nos. 73/23-26 & 83/23-09.

Capital Improvements Program

Approved a supplemental amendment to the Professional Services Agreement between the City of Austin and Camp, Dresser & McKee, Inc. in connection with 1984-85 Walnut Creek Wastewater Treatment Plant Increase Capacity Improvements, for Phase I of an Infiltration/Inflow Investigation. (\$86,000.00) CAPITAL IMPROVEMENTS PROGRAM NO. 82/23-81.

Item Postponed

Consideration of approval of the following contract is postponed until August 8, 1985:

HUGHES AIRCRAFT COMPANY
P.O. Box 9399
Long Beach, California

CAPITAL IMPROVEMENTS PROGRAM -
PV300 Kilowatt Grid-Interactive
Centralized Solar Photovoltaic
Power Plant, Electric Utility
Department
Total \$2,874,835.00 C.I.P.
No. 84/12-04

Contracts Approved

Approved the following contracts:

ELGIN B. ROBERTSON, INC.
P. O. Box 210519
Dallas, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
End-Use Metering and Reporting
System, Electric Utility Department
Total \$165,000 C.I.P. No. 84/12-04

LEWIS CONTRACTORS, INC.
P. O. Box 19505
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Upper Shoal Creek Wastewater
Interceptor, Phase III, Water
and Wastewater Department
Total \$1,020,388.50 C.I.P. No.
72/23-16

NATIONAL ELECTRIC COIL
10010 Gulf Freeway
Houston, Texas

- Rewinding of Decker #2 Forced Draft
Fan #21 Motor, Electric Utility
Department - \$26,400.00 85-S779-LI

E. I. DUPONT DE NEMOURS & CO.
Biomedical Products Dept.
1500 Hurd Drive
Irving, Texas

Analytical Text Units, Brackenridge
Hospital
Twelve (12) Month Supply Agreement
Total \$45,000.00 BS5-1288

MONARCH PAPER COMPANY
2090 Woodward
Austin, Texas

- Fine Paper, Purchasing Department
Six (6) Month Supply Agreement
Items 1, 4, 7, 8, & 10
Total \$90,185.00 85-0241-GW

Equipment for St. Edwards

Approved issuance by City of Austin, Texas Higher Education Authority of its promissory note for purchase of equipment for sale to and use by Saint Edward's University in Austin; approving related documents; and approving amended bylaws of authority.

Title V Older Americans Act Funds

Authorized submission of sixth year renewal grant applications to the National Council of Senior Citizens in the amount of \$273,965.00 Title V Older Americans Act funds.

Mass Transportation

Accepted the Urban Mass Transportation Administration Operation and Capital Assistance Grants TX-90-X041 under Section 9 of the Urban Mass Transportation Act of 1964, in the maximum amount of \$3,827,942.00.

Management Consulting Contract

Approved a management consulting contract with Peat, Marwick and Mitchell & Co. (Not to exceed \$340,000.00)

Public Hearing Set

Set a public hearing for August 22, 1985 at 5:30 p.m. to consider an amendment to the Northwest Land Use Guidance Plan to allow office use for Vaught Road Professional Building.

Task Force for Homeless Extended

Authorized extension of the Task Force on the Homeless for 120 days.

WATER AND WASTEWATER APPROACH MAINS

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, adopted a resolution approving the following water and wastewater approach mains; no wastewater services will be allowed until an extended discharge permit for the Walnut Creek Wastewater Treatment Plant is secured (subject to staff recommendation); amount of LUE's approved for wastewater commitment does not guarantee service in the event that the flows to Walnut Creek Wastewater Treatment Plant exceed legally permitted flows; and does not imply commitment for land use:

a. Upper Shoal Creek Relief Interceptor:

- (1) Water Approach Main to include 2 acres for office use for 16 LUE's with a peak flow of 35.2 gpm - Spicewood Joint Venture AM #455. No City cost participation. (Jeryl Hart Engineers, Inc.)
- (2) Water Approach Main to include 6.2 acres for apartment use for 82 LUE's with a peak flow of 180 gpm - Mesa Oaks Section 4 AM #418. No City cost participation. (Jeryl Hart Engineers, Inc.)
- (3) Water Approach Main to include approximately 15 acres of land for commercial use. The tract will have 213 LUE's with a peak flow of 468 gpm - Morris-Crow Joint Venture AM #603. No City cost participation. (Jeryl Hart Engineers, Inc.)
- (4) Wastewater Approach Main to include approximately 15 acres for commercial use. The applicant is requesting 213 LUE's with a peak flow of 237 gpm - Morris-Crow Joint Venture. No City cost participation. (Jeryl Hart Engineers, Inc.)
- (5) Wastewater Approach Main to include approximately 6.17 acres for commercial use. The applicant is requesting 63 LUE's with a peak flow of 74 gpm - Austin Center, Phase 2-A, Lot 2. No City cost participation. (Jeryl Hart Engineers, Inc.)
- (6) Water Approach Main to include +3 acres for commercial use. The applicant is requesting 32 LUE's with a peak flow of 70.4 gpm - Triangle Site on No. MoPac AM #756. No City cost participation. (Freese and Nichols, Inc.)
- (7) Wastewater Approach Main to include +3 acres for commercial use. The applicant is requesting 32 LUE's with a peak flow of 39 gpm - Triangle Site on No. MoPac AM #757. No City cost participation. (Freese and Nichols, Inc.)

- (8) Water Approach Main to include 36.3 acres for commercial use. The applicant requests 462 LUE's with a peak flow of 1017 gpm - Gateway Austin (Phase II) AM #758. No City cost participation. (Jeryl Hart, Engineers, Inc.)
- (9) Wastewater Approach Main to include 36.3 acres for commercial use. The Applicant is requesting 462 LUE's with a peak Flow of 513 gpm - Gateway Austin (Phase II) AM #759. No City cost participation. (Jeryl Hart, Engineers, Inc.)

b. Big Walnut Creek Interceptor:

- (10) Water Approach Main to include 100.22 acres of commercial and residential use. The applicant is requesting 1432 LUE's with a peak flow of 3150 gpm - Walnut Creek Center A.M. #567. No City cost participation. (Oscar W. Holmes and Associates)
- (11) Water Approach Main to include 39.34 acres for commercial use. The tract will have 211 LUE's with a peak flow of 464.2 gpm - Parmer Square A.M. # 561. No City cost participation. (Espey, Huston & Associates, Inc.)
- (12) Water Approach Main to include 4.16 acres for commercial use. The Applicant is requesting 27 LUE's with a peak flow of 59.4 gpm - Parmer Point AM #617. No City cost participation. (Espey, Huston & Associates, Inc.)
- (13) Wastewater Approach Main to include 66.55 acres for commercial use. The tract will have 448 LUE's with a peak flow of 469 gpm - C. Aubrey Smith Tract AM #625. No City cost participation. (Camp Dresser & McKee Inc.)
- (14) Water Approach Main to include 3.31 acres for residential use. The Applicant is requesting 40 LUE's with a peak flow of 88 gpm - Duval Road Tract AM #651. No City cost participation. (Haynie & Kallman, Inc.)
- (15) Water Approach Main to include 14.1 acres for light industry use. The applicant is requesting 70 LUE's with a peak flow of 154 gpm - Jenkins Tract AM #682. No City cost participation. (Turner, Collie & Braden, Inc.)
- (16) Wastewater Approach Main to include 14.1 acres for light industry use. The applicant is requesting 70 LUE's with a peak flow of 77 gpm - Jenkins tract AM #683. No City cost participation. (Turner, Collie & Braden, Inc.)

- (17) Water Approach Main to include 186 acres of residential, commercial, industrial, retail use. The applicant is requesting 974 LUE's with a peak flow of 2,143 gpm - Watt-Schieffer AM #734. No City cost participation. (Barry Campbell Engineering, Inc.)
- (18) Water Approach Main to include 2.76 acres for office use. The applicant is requesting 14 LUE's with a peak flow of 31 gpm - Wind River Road AM #744. No City cost participation. (Jeryl Hart & Associates, Inc.)
- (19) Water Approach Main to include 37.2 acres for commercial use. The applicant is requesting 274 LUE's with a peak flow of 603 gpm - Parmer Oaks Center AM #750. No City cost participation. (Espey, Huston & Associates, Inc.)
- (20) Water Approach Main to include 24.5 acres for office, retail, apartments use. The applicant is requesting 332 LUE's with a peak flow of 731 gpm - 24.5 Merriltown Road Tract AM #770. No City cost participation. (Dernick and Harris Engineering)
- (21) Wastewater Approach Main to include 24.5 acres for office, retail, apartments use. The applicant is requesting 332 LUE's with a peak flow of 331 gpm - 24.5 Merriltown Road Tract AM #771. No City cost participation. (Dernick and Harris Engineering)
- (22) Water Approach Main to include 10.88 acres for Residential Use. The applicant requests have 39 LUE's with a peak flow of 86 gpm - Arrow AM #774. No City cost participation. (Carlson & Dippel, Inc.)
- (23) Water Approach Main to include 123 acres for residential, single family, duplex, fourplex use. The applicant is requesting 1050 LUE's with a peak flow of 2310 gpm - North Oaks Estates AM #778. City cost participation will be \$360,400.00. (Carlson and Dipple, Inc.)
- (24) Water Approach Main to include 342.40 acres for commercial use for 3,186 LUE's with a peak flow of 7,009 gpm - Caywood Anderson Highway 290 AM #801. City cost participation will be \$779,079.00. (Cunningham-Graves, Inc.)
- (25) Wastewater Approach Main to include 342.40 acres for commercial use for 3,284 LUE's with a peak flow of 3,940.8 gpm - Caywood Anderson Highway 290 AM #802. No City cost participation. (Cunningham-Graves, Inc.)

c. Little Walnut Creek Interceptor:

- (27) Water Approach Main to include 146.5 acres for commercial use for 955 LUE's with a peak flow of 2101 gpm - Pecan Springs Business Park AM #722. No City cost participation. (Murfee Engineering, Inc.)
- (28) Wastewater Approach Main to include approximately 15 acres for commercial development. The applicant is requesting 87 LUE's at a peak flow of 97 gpm - Global Tract A.M. #578. No City cost participation. (Cunningham-Graves, Inc.)

d. Big & Little Walnut Creek Interceptors:

- (29) Water Approach Main to include 115.27 acres for research and manufacturing use for 418 LUE's with a peak flow of 919.6 gpm - Rolm Corporation AM #731. No City cost participation. (Bovay Engineers, Inc.)
- (30) Water Approach Main to include 66.55 acres for commercial use. The applicant is requesting 448 LUE's with a peak flow of 985 gpm - C. Aubrey Smith Tract AM #624. City participation of \$346,800.00. (Camp Dresser & McKee, Inc.)
- (31) Water Approach Main to include 15 acres for residential, commercial use. The applicant requests 300 LUE's with a peak flow of 660 gpm - 3M/183 Tract AM #791. No City cost participation. (Espey, Huston, & Associates, Inc.)
- (32) Water Approach Main to include 11.04 acres for office use. The applicant requests 147 LUE's with a peak flow of 323.4 gpm - Spicewood Springs Road Interests AM #790. No City cost participation. (Lockwood Engineers, Inc.)

e. Walnut Creek Wastewater Treatment Plant:

- (33) Water Approach Main to include 6.81 acres for commercial use. The applicant requests 228 LUE's with a peak flow of 501.6 gpm - Western Trails of Quail Creek Sections-2, AM #732. No City cost participation. (Penrose & Associates, Inc.)
- (34) Wastewater Approach Main to include 13.41 acres for office use. The applicant is requesting 177 LUE's with a peak flow of 196.5 gpm - Spicewood Springs Road Interest AM #780. No City cost participation. (Lockwood Engineers, Inc.)

Motion

The Council on Councilmember Shipman's motion, Councilmember Rose's second, approved the following water and wastewater approach mains and shall fund pro-rata share of permanent service plan in the Harris Branch Watershed and applicant agrees to participate in the regionalization of Harris Creek, Wilbarger Creek and Gilleland Creek, if such regionalization comes to pass. (6-0 Vote, Mayor Pro Tem Trevino absent)

- (1) Water Approach Main to include 1766 acres of mixed use. The applicant is requesting 11,500 LUE's with a peak flow of 25,300 gpm - Austin 1800 AM #684. No City cost participation. (Lan Tech)
- (2) Wastewater Approach Main to include 1766 acres for mixed use. The applicant is requesting 11,500 LUE's with a peak flow of 13,800 gpm - Austin 1800 AM #685. City cost participation. (Lan Tech) \$133,560.00

Pulled from the agenda was consideration of the following water approach main in the Upper Shoal Creek area:

Water approach main to include 7.93 acres for office use. The applicant is requesting 35 LUE's with a peak flow of 77 gpm. Spicewood Springs Road Office Park AM #796. No City cost participation. (Meyer-Lytton-Allen, Inc.)

WAIVER FROM LAND USE GUIDANCE PLAN IN NORTHWEST AREA

The Council, on Councilmember Rose's motion, Councilmember Shipman's second, adopted a resolution approving request for waiver from the Northwest Land Use Guidance Plan for Jester Point 2 Subdivision. (5-0 Vote, Councilmember Humphrey abstained, Mayor Pro Tem Trevino absent.)

INTERIM ALLOCATION OF OFFICE SPACE

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, adopted a resolution concerning granting an interim allocation of 2,500 square feet of office space to the Lakeland State Bank at RR 620 and Zimmerman Lane, pursuant to the Northwest Land Use Guidance Plan (Ordinance No. 841206-H)

UNDERGROUND WATER CONSERVATION DISTRICT

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, adopted a resolution of support for the creation of an Underground Water Conservation District for the Barton Springs-Associated Edwards Aquifer and a request to the Texas Water Commission for expeditious designation of the boundaries of the proposed district.

CITIZENS COMMUNICATIONS

Mr. Robert (Bob) Garrett, appeared before Council to discuss Community Police Relations.

Ms. Gail Gemberling discussed Land Use Plan for the Alta Vista Subdivision. She used slides to present her report.

Mr. Bill Bingham did not appear.

Mr. Jerry L. Harris discussed postponement of zoning hearings, Cases Nos. C14p-84-109 and C14-84-444. Creekridge Apartments, scheduled for August 8, 1985.

Mr. John T. Murphy discussed interim report of the Task Force on the Homeless.

Mr. David Dauber also discussed the Task Force on the Homeless and asked for its re-establishment.

TIME CHANGE FOR CITIZEN COMMUNICATIONS

Mayor Cooksey said he would like an item on the August 8, 1985 agenda changing the time of Citizens Communications to 1:00 p.m.

PUBLIC HEARING - URBAN MASS TRANSPORTATION ADMINISTRATION GRANT

Mayor Cooksey opened the public hearing set for 3:00 p.m. on the submission of an application for an Urban Mass Transportation Administration Grant for the acquisition of Southern Pacific and Missouri-Kansas-Texas Railroad and rights-of-way.

Richard Ridings stated, "This is an application by the City of Austin for Federal funding under Section 5 of the Urban Mass Transportation Act, 1964, as amended. The City is, as the Council previously approved, contracted with us the Southern Pacific to acquire approximately 160 miles of right-of-way. There is also an option for the Southern Pacific downtown right-of-way and trackage. We also are currently completing appraisals on the MKT vacated trackage that run north and south through Austin. The City is applying for an Urban

Mass Transportation Grant. The project cost is approximately \$37.6 million, of which approximately 80% is being sought from UMTA in the amount of approximately 7½ million dollars. Of that amount would be for the local share. The portion of that which is within the Capital Metro Service Area, it is anticipated those contracts would be approved with Capital Metro to assist in funding the local match of their share. The City of Austin would be responsible for the remainder. We are currently accepting any input by citizens as required by law.

Mayor Cooksey said, "Explain again what the City of Austin's committment would be on this." Mr. Ridings said "The committment would be to make the local match for that portion that is outside the Capital Metro Area, pending approval of agreements on the SP 160 mile track, it is the SP downtown track, which is approximately 3 miles and the MKT trackage, we would estimate that the City of Austin share for the local match, if all is approved by UMTA, would be approximately 2 million dollars. Again, this is all contingent upon the final approvals by UMTA and final contracts by Capital Metro."

City Manager Carrasco said, "Capital Metro has agreed to take full responsibility for only a section of the entire right-of-way, is that right?" Mr. Ridings said that is correct. They will enter into agreements with the City of Austin for that part that is within their service area...the majority of the trackage, both SP and MKT. The responsibility of the City will be outside of the Capital Metro area.

Monty Josephs, representing Capital Metropolitan Transportation Authority, clarified "the portion of the project which the Capital Metro Board of Directors has approved participation in, and that is only a 68 mile segment of the Southern Pacific line, which runs approximately from the vicinity of Liberty Hill in the northwest, to the vicinity of Manor in the east and it has an estimated cost of \$6.25 million. For this purpose the Capital Metro Board has approved \$1.25 million as its share of the local funds for the purchase of this tract." Mayor Cooksey asked if, since they are only taking part of it, will this cause any difficulties with the grant from UMTA. Mr. Josephs said he does not believe so. Mr. Ridings said it will have no impact since the City is the one that is applying for the grant.

Motion

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, closed the public hearing. (6-0 vote, Mayor Pro Tem Trevino absent.)

Motion

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, approved submission of application. (6-0 Vote, Mayor Pro Tem Trevino absent.)

RECESS - Council recessed its meeting at 3:30 p.m. and resumed its recessed meeting at 3:45 p.m.

PUBLIC HEARING - APPEAL OF PLANNING COMMISSION DECISION

Mayor Cooksey opened the public hearing set for 3:30 p.m. on an appeal from Gus J. Zgourides, of the Planning Commission's decision regarding Case No. SP-85-069, 513-521 M.L.K., Jr. Boulevard and 601-605 M.L.K., Jr. Blvd.

Marie Gaines, OLDS, told Council there is a valid petition, therefore it would take 6 votes of the Council to override the decision of the Planning Commission.

G.J. Zgourides said he is appealing the decision to build a shopping center next to the condominiums because it will create too much traffic in the alley which owners of the condo's use as access to their garages.

Lloyd Burr, Gary Johnson, Howard Brach, C.H. Beasley, and Rex Caulfield all spoke against the site plan.

Richard Suttle, representing the applicant for the zoning, said he would like the site plan approval and zoning to be heard together on August 15, 1985.

Councilmember Shipman said she will not support a driveway cut in the alley. She said the plan should be re-designed so there is an entrance on Nueces. Mayor Cooksey also said he will vote against the appeal.

It was decided a full Council is needed for the hearing.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, continued the public hearing to August 15, 1985 at 4 p.m. (5-1-0 Vote, Mayor Cooksey voted No, Mayor Pro Tem Trevino absent)

Zoning Case Postponed

The zoning case which was to be heard at 4:00 p.m. concerning this was postponed until August 15, 1985 at 4 p.m.:

JOHN P. SCHNEIDER
By Richard T.
Suttle Jr.
513-521 & 601-605
M.L.K., Jr. Blvd.
also bounded by
Nueces

From "CS"
To "CS-MU"
RECOMMENDED
POSTPONED TO AUGUST 15, 1985
@ 4 p.m.

PUBLIC HEARINGS - ZONING CASES

Mayor Cooksey opened the public hearings on the zoning cases scheduled for 4:00 p.m. Council heard, closed the public hearings, and instructed the City Attorney to return with the necessary ordinances on zoning cases granted. If the case was not granted, action is indicated by the case.

- (1) ⁸¹⁴85 COLLINGWOOD WEST James Glen Way
009 SECTION II C Claywood Drive
By John Reynolds
(On Councilmember Urdy's motion, Councilmember Rose's second, 5-1-0 Vote, Councilmember Carl-Mitchell voted No, Mayor Pro Tem Trevino absent.)
From "I-SF-3"
To PUD
RECOMMENDED
GRANTED AS RECOMMENDED
- (2) -85 NORTHWEND JOINT 9515 N. Lamar Blvd.
098 VENTURE
By John Meinrath
(On Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, 6-0 Vote, Mayor Pro Tem Trevino absent)
From "GR"
To "CS-1"
RECOMMENDED
GRANTED AS RECOMMENDED
- (3) r-85 WESTLAKE 1004 Walsh Tarlton
088 PROPERTIES 3200 Bee Cave Road
By Jean Strobe
From "I-RR"
To "CS-1" & "GR"
RECOMMENDED
GRANTED AS RECOMMENDED
- (4) -85 LLOYD EARL HUNT 7200-7204 South
107 By Howard A. Congress Avenue
Eynoff
From "I-SF-2"
To "LO"
RECOMMENDED (as amended)
GRANTED AS RECOMMENDED
- (5) -84 NASH PHILLIPS/ 4601 and 4621
382 COPUS Springdale
By Mac Spellman 4950 Martin Luther
King, Jr. Boulevard
From "I-A" & "A" 1st H&A
(I-SF-2 & SF-2)
To "SF-6"
RECOMMENDED (as amended)
GRANTED AS RECOMMENDED
- (6) -85 CITY OF AUSTIN 1105 South Meadows
193 By Office of Land
Development
Services
From "SF-3"
To "SF-2"
RECOMMENDED
GRANTED AS RECOMMENDED
- (7) r-85 J. E. MOTHERAL 10633-10711 North
156 By Charles W. IH 35
Croslin, Jr.
From "I-SF-2"
To "CS"
RECOMMENDED
GRANTED AS RECOMMENDED
- (8) -85 JAMES BEARD Proposed extension
148 By David Hutton of Jester Boulevard
(On Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, 6-0 Vote, Mayor Pro Tem Trevino absent.)
From "I-RR"
To "SF-1"
RECOMMENDED
GRANTED AS RECOMMENDED
- (9) -84 JIM PEARSON 709 West Lynn
396 By T. J. "JACK"
Morton
From "B" 2nd H&A
(MF-4)
To "A" 1st H&A
(SF-3)
RECOMMENDED
GRANTED AS RECOMMENDED
- (On Councilmember Carl-Mitchell's motion, Councilmember Rose's second, 6-0 Vote, Mayor Pro Tem Trevino absent.)

- (10) -85 PARKWAY SOUTH 2030 E. Oltorf From "CR"
153 DEVELOPMENT St. Suite 112 To "CS-1"
CORP., INC. RECOMMENDED
GRANTED AS RECOMMENDED
- (11) -85 BETTY KUHN 6701 Guadalupe St. From "SF-3"
171 To "NO"
RECOMMENDED
GRANTED AS RECOMMENDED
- (12) r-85 C. B. CARPENTER 12001 U.S. 183 From "I-SF-2" & "SF-2"
039 By Richard Mathias To "LO"
RECOMMENDED
GRANTED AS RECOMMENDED
- (13) -85 ELISA & DAVID 6200-6208 Clovis St. From "SF-3"
160 GARCIA To "CS"
By Caroline L. RECOMMENDED
Johnson GRANTED AS RECOMMENDED
- (14) -85 MICHAEL J. KUHN, 202-204 Montopolis From "SF-3"
161 TRUSTEE To "CS"
By Caroline L. RECOMMENDED
Johnson GRANTED AS RECOMMENDED

(On Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, 6-0 Vote, Mayor Pro Tem Trevino absent.)

- (15) -85 JOHN P. SCHNEIDER 513-521 & 601-605 From "CS"
133 By Richard T. M.L.K., Jr. Blvd. To "CS-MJ"
Suttle, Jr. also bounded by RECOMMENDED
Nueces POSTPONED TO 8/15/85 @ 4 p.m.

- (16) -85 THOMAS J. & MARY 1704 Houston Street From "SF-3"
150 E. PRIETT, JR. To "NO"
RECOMMENDED "NO"
subject to 35 feet of
right-of-way from the
centerline of Houston
Street.
GRANTED AS RECOMMENDED

(On Councilmember Humphrey's motion, Councilmember Urdy's second, 6-0 Vote, Mayor Pro Tem Trevino absent.)

- (17) -85 ST. EDWARD'S So. Congress Avenue From "I-SF-3 & "SF-3"
179 UNIVERSITY, INC. & Woodward Street To "GO"
By Campbell RECOMMENDED subject to
McGinnis dedication of 60' of
right-of-way from
centerline of South
Congress.
GRANTED AS RECOMMENDED

(On Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, 6-0 Vote, Mayor Pro Tem Trevino absent.)

- (18) -85 BILL J. JAKOBEIT 701 Morrow Street
162 By Gail Temple

EMERGENCY
PASSAGE

From "SF-3"
To "NO"
RECOMMENDED subject to conditions regarding one driveway on Morrow Street on westernmost portion of the Tract.
GRANTED AS RECOMMENDED

- (19) -85 KENT FERGUSON 4305-4311 James
165 By Santiago Casey Street.
Moreno

From "SF-3"
To "LO"
RECOMMENDED subject to dedication of up to 35' of right-of-way from centerline of James Casey and fiscal arrangements for roadway improvements.
GRANTED AS RECOMMENDED

- (20) -85 CAPITAL CITY 1708 Dungan Lane
169 FOUNDATIONS, INC.
By Timothy S. Carnes

From "I-SF-3"
To "LI"
RECOMMENDED subject to dedication of up to 35' of right-of-way from centerline of Dungan Lane.
GRANTED AS RECOMMENDED

- (21) -85 JEANETTE O. 3908 Manchaca Road
108 STEADMAN, at Prather Lane
EXECUTRIX
By Paul Scofield

From "SF-3"
To "LO"
RECOMMENDED subject to dedication of up to 45' of right-of-way from centerline of Manchaca Road and subject to retention of structure.

(On Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, 6-0 Vote, Mayor Pro Tem Trevino absent.)

- (22) - 84 TOWNLAKE PROPERTY 43-51 Rainey Street
473 JOINT VENTURE 21 Bierce Street
By Monica Schwantz 706 Cummins Street

GRANTED AS RECOMMENDED
From "A" & "O" 1st H&A (SF-2 & LO)
To "O" 1st H&A (LO)
RECOMMENDED (as amended) subject to dedication of up to 30' of right-of-way from centerline of Rainey and up to 25' of right-of-way from centerline of Cummings.

GRANTED AS RECOMMENDED SUBJECT TO SITE PLAN APPROVAL BY CITY COUNCIL AND REVIEW BY TOWN LAKE TASK FORCE

(On Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, 6-0 Vote, Mayor Pro Tem Trevino absent.)

(23) -85 R & S INVESTMENTS 4324-4330 Duval
114 By John Joseph Road

From "I-SF-2"
To "SF-6"
NOT RECOMMENDED
RECOMMENDED "SF-6" and
"SF-3" noting that
"SF-6" will be limited to
density of 9 units per
acre as calculated on the
gross area, restricting
square footage of units to
a minimum of 1300 square
feet.

CONTINUE TO 8/22/85 @ 4 p.m.

(24) -85 J. E. THOMSON 309 Deen Avenue
129 By Robert Todd
Carter

From "SF-3"
To "MF-2"
NOT RECOMMENDED

DENIED

(On Councilmember Shipman's motion, Councilmember Urdy's second, 6-0 Vote,
Mayor Pro Tem Trevino absent.)

CAPITAL IMPROVEMENTS PROGRAM

City Manager Carrasco reviewed the Capital Improvements Program for the Council. A copy of the report is on file in the City Clerk's office.

EXECUTIVE SESSION

Mayor Cooksey announced Council will go into Executive Session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss the following matters; and action, if any, on the matters will be taken during the public meeting after the conclusion of the Executive Session:

- a. Boards and Commissions Appointments - Section 2,
Paragraph g.
- b. Pending Litigation - Section 2, Paragraph e.
(1) State of Texas vs. City of Austin in U.S. District
Court.

RECESS

Council recessed for executive session at 6:55 p.m. and resumed their recessed meeting at 9:15 p.m.

HEAVY EQUIPMENT ORDINANCE

The Council, on Councilmember Humphrey's motion, Councilmember Rose's second, waived the requirement for three readings and finally passed an ordinance amending Section 9-8-2 of the City Code, relating to the operation of heavy equipment. (6-0 Vote, Mayor Pro Tem Trevino absent) (The hours of heavy equipment usage in neighborhoods will be Monday through Friday 7 a.m. to 7 p.m. and Saturday and Sunday 9 a.m. to 7 p.m.)

AUSTIN'S HOUSING NEEDS

The Council, on Councilmember Urdy's motion, Councilmember Humphrey's second, approved the need for a comprehensive assessment on housing needs for the next decade and asked the City Manager to proceed with any other proposals in that area. (6-0 Vote, Mayor Pro Tem Trevino absent.)

OAK HILL ANNEXATION IMPROVEMENTS

Mr. Jim Thompson, Director of Water and Wastewater, presented the quarterly report on Oak Hill Annexation Improvements.

CITIZEN PARTICIPATION PROCESS

Senior Assistant City Attorney Terry Childers told Council a plan on Citizen Participation Process is being compiled and in two weeks he will return to Council with a blueprint of the full process.

ADJOURNMENT

Council adjourned its meeting at 9:30 p.m.